

REMARKS

Claims 1-52 are in the application. Claims 1-8 and 27-34 are unchanged from the original versions thereof and claims 9-26 and 35-52 are withdrawn.

Applicant hereby affirms the election with traverse of Group I, claims 1-8 and 27-34.

Regarding the I.D.S. filed June 28, 2003, Applicant acknowledges the Office Action's statement regarding the non-compliance thereof in accord with 37 CFR 1.98(a). Applicant, in a separate letter, will forward the requested concise statement of relevance regarding the German language reference listed in the I.D.S.

The Office Action rejected claim 6 under 35 USC 112, second paragraph as being indefinite for having insufficient antecedent basis for a limitation therein. Claim 32 is worded similar, in part, to claim 6. Both claims 6 and 32 are currently amended to overcome the 35 USC 112, second paragraph rejection thereof.

Applicant respectfully requests the reconsideration and withdrawal of the 35 USC 112, second paragraph 35 USC 112, second paragraph rejection of claim 6.

Claims 1-3, 7-8, 27-29, and 33-34 are rejected under 35 USC 102(e) as being anticipated by Rogson. This rejection is traversed.

Regarding claim 1, Applicant's claim states:

A method of spell checking a document being processed by a word processing program, said method comprising:

(a) determining from a content of said document a group of words that includes words actually occurring in said document;

(b) reporting a misspelled word to a user; and

(c) presenting to the user a list of replacement words that have spellings similar to said misspelled word, said list including one or more words selected from said group of words. (emphasis added)

Claim 27, in relevant part, is worded similar to claim 1. It is clear that Applicant claims a method (claims 1) and computer readable medium including computer executable instructions (claim 27) that includes the step of determining from a content of the document a group of words that includes words actually occurring in the document.

The Office Action states that a word processing document inherently contains a group of the words that occur within the document. However, Applicant does not merely claim that the document contains a group of the words that occur within the document. Applicant claims, instead, determining from a content of the document a group of words that includes words actually occurring in the document. Rogson fails to disclose or suggest determining from a content of the document a group of words that includes words actually occurring in the document. Rogson does not even appear to be concerned with or appreciate the step of determining from a content of the document a group of words that includes words actually occurring in the document since the methods of Rogson have no apparent need for or use of such information. The Office is directed to the flowcharts of Rogson's disclosed methods in Figs. 10A-12, and the discussion of same in the specification thereof.

Rogson also fails to disclose Applicant's claimed presenting to the user a list of replacement words that have spellings similar to the misspelled word, the list including one or more words selected from the group of words (determined from the content of the document). This is true for at least the reason that Rogson does not disclose or suggest the step of determining the group of words, as claimed and discussed in detail above.

Therefore, for at least the reasons discussed above, Applicant respectfully requests the reconsideration and withdrawal of the 35 USC 102(e) rejection of claims 1 and 32. Claims 2-3, 7-8 and 26-29, 33-34 depend from claims 1 and 27, respectively. It

is respectfully submitted that claims 2-3, 7-8 and 26-29, 33-34 are patentable over Rogson for at least the reasons discussed above regarding claims 1 and 27.

Claims 4-6 and 30-32 were rejected under 35 USC 103(a) as being unpatentable over Rogson as applied to claims 1-3 and claims 27-29, and further in view of Chandraseker. This rejection is traversed.

The rejection of claims 4-6 and 30-32 under 35 USC 103(a) fails to render the subject claims obvious since the basis of the rejection (i.e., Rogson as applied to claims 1-3 and claims 27-29) is cited and relied upon by the Office Action in error, as discussed above regarding claims 1-3 and 27-29. That is, Rogson does not disclose or suggest that for which the Office Action cites and relies upon Rogson regarding claims 1-3 and 27-29.

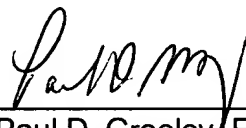
Accordingly, for at least the reasons discussed above, Applicant respectfully requests the reconsideration and withdrawal of the 35 USC 103(a) rejection of claims 4-6 and 30-32.

Therefore, Applicant respectfully requests the reconsideration and withdrawal of the rejections of record and the allowance of claims 1-8 and 27-34.

Respectfully submitted,

Date

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